

Receipt date: 12/03/2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Grooms *et al.*

Serial No.: 09/905,683

Group Art Unit: Unknown

Filed: 7/16/2001

Title: Cortical Bone Cervical Smith-  
Robinson Fusion Implant

Attorney Docket No.: TB-104IACA

Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BS/

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 11-15-2001

Typed Name: Timothy H. Van Dyke

Signature: 



Timothy H. Van Dyke  
Attorney/Agent for Applicant(s)  
Reg. No. 43218

Date: 11-15-2001

Van Dyke & Associates, P.A.  
1630 Hillcrest Street  
Orlando, FL 32803

Telephone No: 407-228-0328  
Fax No: 407-228-0329

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	09/905,683
				Filing Date	7/13/2001
				First Named Inventor	Grooms <i>et al.</i>
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	2	of	2	Attorney Docket Number	TB-104IACA

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BAILEY, R.W., and BADGLEY, L.E. "Stabilization of the Cervical Spine by Anterior Fusion." J. Bone and Joint Surg. (1960) 42A: 565-594.	
		CLOWARD, R.B. "The Anterior Approach for Removal of Ruptured Cervical Discs." J. Bone and Joint Surg. (1958) 15: 602-617.	
		GROOMS <i>et al.</i> "Success of Surgery on the Anterior Cervical Spine: Smith-Robinson Technique vs. Internal Plates." Clinical Performance of Skeletal Prostheses (1996) L.L. Hench and J. Wilson Eds., Chapman & Hall.	
		ROBINSON, R.A. <i>et al.</i> "The Results of Anterior Interbody Fusion of the Cervical Spine." J. Bone and Joint Surg. (1962) 44A: 1569-1587.	
		ROBINSON, R.A. and SMITH, G.W. "Anterolateral Cervical Disc Removal and Interbody Fusion for Cervical Disc Syndrome." Bull, John Hopkins Hosp. (1955) 96: 223-224.	
		SMITH, G.W. and ROBINSON, R.A. "The Treatment of Certain Cervical-Spine Disorders by Anterior Removal of the Intervertebral Disc and Interbody Fusion." J. Bone and Joint Surg. (1958) 40A: 607-623.	
		WHITE, A.A. III, and HIRSH, C. "An Experimental Study of the Immediate Load Bearing Capacity of Some Commonly Used Iliac Bone Grafts." Acta Orthop. Scandanav. (1972) 42: 482-490.	
		WHITECLOUD, T.S. III and DUNSKER, S. "Anterior Cervical Spine Surgery, Principles and Techniques in Spine Surgery." Raven Press, N.Y. (1993).	

Examiner  
Signature

/Bruce Snow/

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07/13/2009

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